

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CHAVA LEZELL and MORDECHAI PALACE, on
behalf of themselves and all other similarly situated
consumers,

Plaintiff,

v.

USAA SAVINGS BANK and USAA FEDERAL
SAVINGS BANK,

Defendants.

:
: **No. 1:14-cv-05483-FB-PK**
:

: **DECLARATION OF**
: **PETER BRESLAUER**
:

I, Peter Breslauer, declare as follows:

1. I am over 21 years of age and am competent to give this declaration. I have personal knowledge of the following facts, all of which I believe to be true and correct.

2. I am a partner in the law firm of Montgomery McCracken Walker & Rhoads LLP and counsel to Defendants, USAA Savings Bank and USAA Federal Savings Bank, in the above-captioned action.

3. Attached hereto as Exhibit A are true and correct copies of the portions of Defendants' Objections and Responses to Plaintiffs' First Discovery Requests cited in the Memorandum of Law in Support of Defendants' Motion to Compel Arbitration, and accompanying Verification, which were served on Plaintiffs' counsel on September 28, 2015.

4. Attached hereto as Exhibit B is a true and correct copy of my cover letter to Plaintiffs' counsel dated September 29, 2015, which was served on Plaintiffs' counsel on that date and enclosed and identified documents that Defendants produced.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 12, 2016.



Peter Breslauer

CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2016, I electronically filed the foregoing Declaration of Peter Breslauer using the Court's CM/ECF system, which will send notification of the filing to counsel of record.

/s/ Peter Breslauer